

AMENDED IN SENATE JUNE 17, 1997
AMENDED IN ASSEMBLY MARCH 31, 1997
AMENDED IN ASSEMBLY MARCH 11, 1997

CALIFORNIA LEGISLATURE—1997–98 REGULAR SESSION

ASSEMBLY BILL

No. 157

Introduced by Assembly Member Villaraigosa
(Principal coauthor: Assembly Member Kuehl)
(Coauthors: Assembly Members Brown, Cunneen, Firestone,
Gallegos, Keeley, Knox, Lempert, Mazzoni, Migden,
Napolitano, Perata, Shelley, Thomson, and Washington)
(Coauthors: Senators ~~Lee, Sher~~ *Calderon, Lee, Sher,*
Vasconcellos, and Watson)

January 23, 1997

An act to add Section 43.3 to the Civil Code, relating to personal rights.

LEGISLATIVE COUNSEL'S DIGEST

AB 157, as amended, Villaraigosa. Personal rights: breastfeeding.

Existing law guarantees certain personal rights, including the right to privacy.

This bill would authorize a mother to breastfeed her child in any location, *except as specified*, where she and her child are otherwise authorized to be present.

Vote: majority. Appropriation: no. Fiscal committee: no. State-mandated local program: no.

The people of the State of California do enact as follows:

SECTION 1. Section 43.3 is added to the Civil Code, to read:

43.3. (a) The Legislature finds and declares all of the following:

(1) The Surgeon General of the United States and the American Academy of Pediatrics recommend that babies from birth to at least one year of age be breastfed unless medically contraindicated, in order to attain an optimal, healthy start in life.

(2) The World Health Organization recommends that all infants should be fed exclusively on breast milk from birth to six months of age and that children should continue to be breastfed while receiving appropriate and adequate complementary foods for up to two years of age or beyond.

(3) Despite these recommendations and the fact that nearly 74 percent of new mothers are initiating breastfeeding, very few women continue breastfeeding beyond eight weeks.

(4) Breastfeeding provides significant health benefits to both the mother and the child. Breastfeeding provides maternal protection from breast cancer, osteoporosis, urinary tract infections, and other cancers. Studies now show that children who are breastfed show lower rates of death, meningitis, childhood leukemia and other cancers, diabetes, respiratory illnesses, bacterial and viral infections, diarrheal diseases, otitis media, allergies, obesity, and developmental delays. Breastfeeding may raise a child's intelligence quotient and promotes mother-baby bonding.

(5) Outdated moral taboos and ignorance of the benefits of breastfeeding lead to cultural hostility which acts as a barrier to a new mother's decision to breastfeed because she fears embarrassment, social ostracism, or criminal prosecution.

(6) Breastfeeding is economical, reducing health care costs and saving taxpayer dollars in public health and nutrition programs.

1 (7) Breastfeeding is environmentally sound, requiring
2 no energy to manufacture, and reducing the burden on
3 our landfills.

4 (8) In the interest of maternal and child health, the
5 state should encourage public acceptance of this natural,
6 nurturing act. No mother should be intimidated or
7 humiliated for feeding her child in this healthy way.

8 (b) Notwithstanding any other provision of law, a
9 mother may breastfeed her child in any location, public
10 or private, *except the private home or residence of*
11 *another*, where the mother and the child are otherwise
12 authorized to be present.

